

E-filed 7/7/06

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE:)	CASE NO.: C-03-5642 JF (HRL)
)	
REDBACK NETWORKS, INC. SECURITIES)	STIPULATION AND [PROPOSED]
LITIGATION.)	ORDER REGARDING BRIEFING
)	SCHEDULE AND PAGE LIMITS

This Document Relates to:

ALL ACTIONS.

STIPULATION

WHEREAS, on March 20, 2006, the Court entered an Order dismissing plaintiffs' third amended consolidated complaint and granting plaintiffs leave to amend (the "Order");

WHEREAS, pursuant to the Order, plaintiffs' Fourth Amended Consolidated Complaint for Violation of the Federal Securities Laws (the "Complaint") was filed on May 19, 2006;

WHEREAS, on June 5, 2006 the Court entered an Order pursuant to which defendants' motions to dismiss the Complaint are due to be filed on July 7, 2006, plaintiffs' oppositions to any motions to dismiss the Complaint are due to be filed on August 4, 2006, and defendants' replies in further support of their motions to dismiss the Complaint are due to be filed on August 25, 2006;

WHEREAS, the parties have agreed to amend the briefing schedule, without altering the hearing date;

WHEREAS, Civil Local Rule 7-2(b) provides for a twenty-five (25) page limit on any motion and supporting memorandum of points and authorities filed in this action;

WHEREAS, Civil Local Rule 7-3(a) provides for a twenty-five (25) page limit on any opposition to any motion filed in this action;

WHEREAS, Civil Local Rule 7-3(c) provides for a fifteen (15) page limit on any reply memorandum of points and authorities in further support of any motion filed in this action;

WHEREAS, in order to promote the interests of judicial efficiency, defendants Kevin DeNuccio, Pierre Lamond, Thomas Cronan, Vinod Khosla, Dennis Wolf, Vivek Ragavan, Dennis Barsema, Gaurav Garg, William Kurtz, Craig Gentner, Promod Haque and Randall Kruep (collectively, the "Redback Defendants") intend to file a joint motion to dismiss the Complaint;

WHEREAS, given the complexity of the Complaint, as well as the complexity of the law governing the allegations in the Complaint, and given that each of the Redback Defendants would be entitled to file a separate, twenty-five (25) page motion to dismiss and supporting memorandum of points and authorities, and a separate fifteen (15) page reply memorandum of points and authorities pursuant to the Local Rules, the Redback Defendants believe it is

1 appropriate to permit them to file a joint motion and supporting memoranda of points and
2 authorities in excess of the twenty-five (25) and fifteen (15) page limits provided by the Local
3 Rules;

4 WHEREAS, the Redback Defendants believe that they will need no more than thirty-five
5 (35) pages for their memorandum of points and authorities in support of their joint motion to
6 dismiss, and no more than a twenty (20) pages for their reply memorandum of points and
7 authorities in further support of their motion to dismiss; and

8 WHEREAS, plaintiffs are not opposed to the page limits proposed by the Redback
9 Defendants.

10 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
11 subject to approval of the Court, that:

12 1. The Redback Defendants shall have until and including July 10, 2006 to serve and
13 file any motions to dismiss the Complaint.

14 2. Plaintiffs shall have until and including August 7, 2006 to serve and file any
15 oppositions to defendants' motions to dismiss.

16 3. Defendants shall have until and including August 25, 2006 to serve and file any
17 replies in support of their motions to dismiss.

18 4. The case management conference and the hearing on defendants' motion to
19 dismiss shall remain set for September 15, 2006 at 9:00 a.m.

20 5. The Redback Defendants' memorandum of points and authorities in support of
21 their joint motion to dismiss the Complaint may exceed the twenty-five (25) page limit imposed
22 by Civil Local Rule 7-2(b), but may not exceed a total of thirty-five (35) pages, exclusive of the
23 caption page, table of contents, table of authorities, declarations and exhibits.

24 6. Plaintiffs' opposition to the Redback Defendants' joint motion to dismiss the
25 Complaint may exceed the twenty-five page limit imposed by Civil Local Rule 7-3(a), but may
26 not exceed a total of thirty-five (35) pages, exclusive of caption page, table of contents, table of
27 authorities, declarations and exhibits. Plaintiffs may separately file an opposition to any motion
28 to dismiss filed by any other defendant (such as PricewaterhouseCoopers LLP) and those page

limits will not count toward the 35 page limit discussed herein; alternatively, Plaintiffs may file one omnibus brief in opposition to all motions to dismiss, and such opposition shall be no more than the combined total of the pages (exclusive of caption page, tables of contents and authorities, declarations and exhibits) of the defendants' motions to dismiss.

7. The Redback Defendants' reply memorandum of points and authorities in further support of their joint motion to dismiss the operative complaint may exceed the fifteen (15) page limit imposed by Civil Local Rule 7-3(c), but may not exceed a total of twenty (20) pages, exclusive of the caption page, table of contents, table of authorities, declarations and exhibits.

Dated: July 6, 2006

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Mark T. Oakes

Terry T. Johnson
Steven D. Guggenheim
Kristin A. Dillehay
Cameron P. Hoffman
Mark T. Oakes

Attorneys for the Redback Defendants

Dated: July 6, 2006

GRANT & EISENHOFER P.A.

By: /s/ John C. Kairis

Stuart M. Grant
John C. Kairis
Kimberly L. Wierzel

Attorneys for Lead Plaintiff

[PROPOSED] ORDER

Upon stipulation of the parties, and good cause appearing:

1. The Redback Defendants shall have until and including July 10, 2006 to serve and file any motions to dismiss the Complaint.

2. Plaintiffs shall have until and including August 7, 2006 to serve and file any oppositions to defendants' motions to dismiss.

3. Defendants shall have until and including August 25, 2006 to serve and file any replies in support of their motions to dismiss.

4. The case management conference and the hearing on defendants' motions to dismiss shall remain set for September 15, 2006 at 9:00 a.m.

5. The Redback Defendants' memorandum of points and authorities in support of their joint motion to dismiss the Complaint may exceed the twenty-five (25) page limit imposed by Civil Local Rule 7-2(b), but may not exceed a total of thirty-five (35) pages, exclusive of the caption page, table of contents, table of authorities, declarations and exhibits.

6. Plaintiffs' opposition to the Redback Defendants' joint motion to dismiss the Complaint may exceed the twenty-five page limit imposed by Civil Local Rule 7-3(a), but may not exceed a total of thirty-five (35) pages, exclusive of caption page, table of contents, table of authorities, declarations and exhibits. Plaintiffs may separately file an opposition to any motion to dismiss filed by any other defendant (such as PricewaterhouseCoopers LLP) and those page limits will not count toward the 35 page limit discussed herein.

7. The Redback Defendants' reply memorandum of points and authorities in further support of their joint motion to dismiss the operative complaint may exceed the fifteen (15) page limit imposed by Civil Local Rule 7-3(c), but may not exceed a total of twenty (20) pages, exclusive of the caption page, table of contents, table of authorities, declarations and exhibits.

IT IS SO ORDERED.

Dated: 7/7/06



THE HONORABLE JEREMY FOGEL
United States District Judge

1 I, Mark T. Oakes, am the ECF User whose identification and password are being used to
2 file this Stipulation and [Proposed] Order Regarding Page Limits. In compliance with General
3 Order 45.X.B, I hereby attest that John Kairis has concurred in this filing.

4 Dated: July 6, 2006

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

6 By: /s/ Mark T. Oakes
Mark T. Oakes

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8 Attorneys for the Redback Defendants
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